

By: Duncan, Watson

S.B. No. 1142

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to an adult high school diploma and industry certification  
3 charter school pilot program for adults 19 to 50 years of age.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 29.251(1), Education Code, is amended to  
6 read as follows:

7 (1) "Adult education" means services and instruction  
8 provided below the college level for adults by public local  
9 education agencies, public nonprofit agencies, nonprofit entities  
10 providing services and instruction as described by Section 29.259,  
11 or community-based organizations.

12 SECTION 2. Section 29.253, Education Code, is amended to  
13 read as follows:

14 Sec. 29.253. PROVISION OF ADULT EDUCATION PROGRAMS. Adult  
15 education programs shall be provided by public school districts,  
16 public junior colleges, public universities, public nonprofit  
17 agencies, and community-based organizations approved in accordance  
18 with state statutes and rules adopted by the State Board of  
19 Education. A nonprofit entity described by Section 29.259 may also  
20 provide an adult education program as provided by that section. The  
21 programs must be designed to meet the education and training needs  
22 of adults to the extent possible within available public and  
23 private resources. Bilingual education may be the method of  
24 instruction for students who do not function satisfactorily in

1 English whenever it is appropriate for their optimum development.

2 SECTION 3. Section 29.255, Education Code, is amended to  
3 read as follows:

4 Sec. 29.255. FUNDING. (a) Funds shall be appropriated to  
5 implement statewide adult basic education, adult bilingual  
6 education, high school equivalency, and high school credit programs  
7 to eliminate illiteracy in this state and to implement and support a  
8 statewide program to meet the total range of adult needs for adult  
9 education, related skill training, and pilot programs to  
10 demonstrate the effectiveness of the community education concept.  
11 The agency shall ensure that public local education agencies,  
12 public nonprofit agencies, nonprofit entities providing programs  
13 under Section 29.259, and community-based organizations have  
14 direct and equitable access to those funds. An additional sum of  
15 money may be appropriated to the Texas Economic Development and  
16 Tourism Office [~~Department of Commerce~~] for the purpose of skill  
17 training in direct support of industrial expansion and start-up,  
18 and those locations, industries, and occupations designated by the  
19 Texas Economic Development and Tourism Office [~~Department of~~  
20 ~~Commerce~~], when such training is also in support of the basic  
21 purposes of this subchapter. To fulfill the basic purposes of this  
22 subchapter, an additional sum of money may be appropriated for  
23 skill training that is conducted to support the expansion of  
24 civilian employment opportunities on United States military  
25 reservations.

26 (b) The agency, in conjunction with the Texas Economic  
27 Development and Tourism Office [~~Department of Commerce~~], may adopt

1 rules to administer skill training programs for which the agency is  
2 responsible, and the Texas Economic Development and Tourism Office  
3 [~~Department of Commerce~~] may adopt rules to administer skill  
4 training programs for which it is responsible.

5 SECTION 4. Subchapter H, Chapter 29, Education Code, is  
6 amended by adding Section 29.259 to read as follows:

7 Sec. 29.259. ADULT HIGH SCHOOL DIPLOMA AND INDUSTRY  
8 CERTIFICATION CHARTER SCHOOL PILOT PROGRAM. (a) The commissioner  
9 shall establish an adult high school diploma and industry  
10 certification charter school pilot program as provided by this  
11 section as a strategy for meeting industry needs for a sufficiently  
12 trained workforce within the state.

13 (b) Notwithstanding any other law and in addition to the  
14 number of charters allowed under Subchapter D, Chapter 12, the  
15 State Board of Education may grant, on the basis of an application  
16 submitted to the board, a charter under the pilot program to a  
17 single nonprofit entity described by Subsection (c) to provide an  
18 adult education program for individuals described by Subsection (d)  
19 to successfully complete:

20 (1) a high school program that can lead to a diploma;  
21 and

22 (2) career and technology education courses that can  
23 lead to industry certification.

24 (c) A nonprofit entity may be granted a charter under this  
25 section only if the entity:

26 (1) has a successful history of providing education  
27 services, including industry certifications and job placement

1 services, to adults 18 years of age and older whose educational and  
2 training opportunities have been limited by educational  
3 disadvantages, disabilities, homelessness, criminal history, or  
4 similar circumstances; and

5 (2) agrees to commit at least \$1 million to the adult  
6 education program offered.

7 (d) A nonprofit entity granted a charter under this section  
8 may partner with a public junior college to provide career and  
9 technology courses that lead to industry certification.

10 (e) A person who is at least 19 years of age and not more  
11 than 50 years of age is eligible to enroll in the adult education  
12 program under this section if the person has not earned a high  
13 school equivalency certificate and:

14 (1) has failed to complete the curriculum requirements  
15 for high school graduation; or

16 (2) has failed to perform satisfactorily on an  
17 assessment instrument required for high school graduation.

18 (f) The nonprofit entity must include in its charter  
19 application the information required by Subsection (g).

20 (g) A charter granted under this section must:

21 (1) include a description of the adult education  
22 program to be offered under this section; and

23 (2) establish specific, objective standards for  
24 receiving a high school diploma, including an appropriate  
25 exit-level assessment method.

26 (h) Funding for an adult education program under this  
27 section is provided based on the following:

1           (1) for participants who are 26 years of age and older,  
2 an amount per participant from available funds appropriated for  
3 adult basic education equal to the statewide average amount of  
4 state funding per student in weighted average daily attendance that  
5 would be allocated under the Foundation School Program to an  
6 open-enrollment charter school under Section 12.106 were the  
7 student under 26 years of age; and

8           (2) for participants who are at least 19 years of age  
9 and under 26 years of age, an amount per participant through the  
10 Foundation School Program equal to the amount of state funding per  
11 student in weighted average daily attendance that would be  
12 allocated under the Foundation School Program for the student's  
13 attendance at an open-enrollment charter school in accordance with  
14 Section 12.106.

15           (i) Sections 12.107 and 12.128 apply as though funds under  
16 this section were funds under Subchapter D, Chapter 12.

17           (j) Not later than December 1 of each even-numbered year,  
18 beginning December 1, 2016, the agency shall prepare and deliver to  
19 the governor, lieutenant governor, speaker of the house of  
20 representatives, and presiding officer of each standing  
21 legislative committee with primary jurisdiction over public  
22 education or economic development a report that:

23           (1) evaluates any adult education program operated  
24 under a charter granted under this section; and

25           (2) makes recommendations regarding the abolition,  
26 continuation, or expansion of the pilot program.

27           (k) The commissioner shall adopt rules necessary to

1 administer the pilot program under this section. In adopting  
2 rules, the commissioner may modify charter school requirements only  
3 to the extent necessary for the administration of a charter school  
4 under this section that provides for adult education.

5 SECTION 5. Section 42.003(a), Education Code, is amended to  
6 read as follows:

7 (a) A student is entitled to the benefits of the Foundation  
8 School Program if, on September 1 of the school year, the student:

9 (1) is 5 years of age or older and under 21 years of age  
10 and has not graduated from high school, or is at least 21 years of  
11 age and under 26 years of age and has been admitted by a school  
12 district to complete the requirements for a high school diploma; or

13 (2) is at least 19 years of age and under 26 years of  
14 age and is enrolled in an adult high school diploma and industry  
15 certification charter school pilot program under Section 29.259.

16 SECTION 6. This Act takes effect September 1, 2013.